

State of Washington
REPORT OF EXAMINATION
FOR WATER RIGHT APPLICATION

PRIORITY DATE
6/9/2008

WATER RIGHT NUMBER
S2-30474

MAILING ADDRESS
PIONEER SERVICE CO
2448 MADRONA BEACH RD
OLYMPIA WA 98502

SITE ADDRESS (IF DIFFERENT)

Quantity Authorized for Diversion

DIVERSION RATE	UNITS	ANNUAL QUANTITY (AF/YR)
0.067	CFS	25.0

Purpose

PURPOSE	DIVERSION RATE		UNITS	ANNUAL QUANTITY (AF/YR)		PERIOD OF USE (mm/dd)
	ADDITIVE	NON-ADDITIVE		ADDITIVE	NON-ADDITIVE	
Municipal	0	0.067	CFS	17.0	8.0	01/01 - 12/31

REMARKS

This water right shares a point of diversion with Water Right Certificate S2-CV1-2P128.

IRRIGATED ACRES		PUBLIC WATER SYSTEM INFORMATION	
ADDITIVE	NON-ADDITIVE	WATER SYSTEM ID	CONNECTIONS
0	0	04387A	N/A

Source Location

COUNTY	WATERBODY	TRIBUTARY TO	WATER RESOURCE INVENTORY AREA
THURSTON	UNNAMED SPRING	Mud Bay	14-KENNEDY-GOLDSBOROUGH

SOURCE FACILITY/DEVICE	PARCEL	TWP	RNG	SEC	QQ Q	LATITUDE	LONGITUDE
UNNAMED SPRING	13811411000	18N	03W	11	NESE	47.05903	-123.01495

Datum: NAD83/WGS84

Place of Use (See Attached Map)

LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

The place of use (POU) of this water right is the service area described in the most recent Water System Plan/Small Water System Management Program approved by the Washington State Department of Health, so long as the water system is and remains in compliance with the criteria in RCW 90.03.386(2). RCW 90.03.386 may have the effect of revising the place of use of this water right.

Proposed Works

A spring, two 500 gallon collection tanks, a 23,000-gallon cistern for storage, and distribution system required to supply water to municipal water supply customers.

Development Schedule

BEGIN PROJECT

Completed

COMPLETE PROJECT

Completed

PUT WATER TO FULL USE

September 1, 2019

Measurement of Water Use

How often must water use be measured?	Monthly
How often must water use data be reported to Ecology?	Upon Request by Ecology
What volume should be reported?	Total Annual Volume
What rate should be reported?	Annual Peak Rate of Withdrawal (gpm or cfs)

Provisions

Measurements, Monitoring, Metering and Reporting

An approved measuring device shall be installed and maintained for each of the sources identified by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use", WAC 173-173.

WAC 173-173 describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition the Department of Ecology for modifications to some of the requirements.

Department of Health Requirements

Prior to any new construction or alterations of a public water supply system, the State Board of Health rules require public water supply owners to obtain written approval from the Office of Drinking Water of the Washington State Department of Health. Please contact the Office of Drinking Water at Southwest Drinking Water Operations, 243 Israel Road S.E., PO Box 47823, Tumwater, WA 98504-7823, (360) 236-3030.

Water Use Efficiency

The water right holder is required to maintain efficient water delivery systems and use of up-to-date water conservation practices consistent with RCW 90.03.005.

Water Right Certificate Voluntary Relinquishment

Prior to the water holder filing a notice of Proof of Appropriation to the Department of Ecology, the water right holder must file a Voluntary Relinquishment of Water Right form for Water Right Certificate S2-CV1-2P128 with respect to the entire portion of 23 acre-feet for oyster processing.

Schedule and Inspections

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the project location, and to inspect at reasonable times, records of water use, wells, diversions, measuring devices and associated distribution systems for compliance with water law.

Findings of Facts

Upon reviewing the investigator's report, I find all facts, relevant and material to the subject application, have been thoroughly investigated. Furthermore, I concur with the investigator that water is available from the source in question; that there will be no impairment of existing rights; that the purpose(s) of use are beneficial; and that there will be no detriment to the public interest.

Therefore, I ORDER approval of Application No. S2-30474, subject to existing rights and the provisions specified above.

Your Right To Appeal

You have a right to appeal this Order to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt of this Order. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

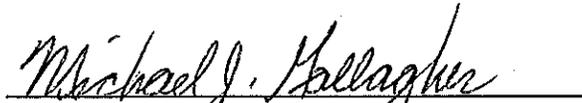
To appeal you must do the following within 30 days of the date of receipt of the Order.

File your appeal and a copy of this Order with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.

- Serve a copy of your appeal and this Order on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.
- You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel RD SW Ste 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

Signed at Olympia, Washington, this 3rd day of September 2014.


Michael J. Gallagher, Section Manager

For additional information visit the Environmental Hearings Office Website: <http://www.eho.wa.gov>. To find laws and agency rules visit the Washington State Legislature Website: <http://www1.leg.wa.gov/CodeReviser>.

INVESTIGATOR'S REPORT

Application for Water Right -- Pioneer Service Co.

Water Right Control Number S2-30474

Matthew K. Rakow, Department of Ecology

BACKGROUND

This report serves as the written findings of fact concerning Water Right Application Number S2-30474.

On June 3, 2008, Robert Bower, owner of the Pioneer Service Company, submitted a new water right application for the appropriation of an unnamed spring (referred to as the Shaker Church Spring by Mr. Bower) consisting of two diversion points and a combined instantaneous rate of 30 gallons per minute (gpm) and an annual quantity of 25 acre-feet per year (ac-ft/yr) for community domestic supply.

Table 1. Details of the New Water Right Application for Shaker Church Spring

Control Number	S2-30474
Name	Pioneer Service Company
Priority Date	June 3, 2008
WIRA	14 – Kennedy-Goldsborough
Source	Unnamed Spring (known as Shaker Church Spring)
Tributary To	Mud Bay
Instantaneous Rate	30.0 gpm
Annual Quantity	25.0 ac-ft/yr
Purpose of Use	Domestic Supply
Period of Use	Year Round
Place of Use	Portions of Sections 2, 11, 12, and 13, Twn 18N, Rng 3W in Thurston County as depicted in Retail Service Area Map for the Pioneer Service Company

CFS = Cubic Feet per Second; Ac-ft/yr = Acre-feet per year; WRIA = Water Resource Inventory Area

Table 2 provides location details for the existing point of withdrawal for the existing water right and the proposed water right.

Table 2. Point of Withdrawal Location Information

Source Name	Parcel	Twp	Rng	Sec	QQ Q	Latitude	Longitude
Unnamed Spring	13811411000	18N	3W	11	NE SE	47.05903	-123.01495

Sec. = Section; QQ Q = Quarter-quarter of a section; W = West of the Willamette Meridian; Datum: NAD83/WGS84.

Legal Requirements for Approval of Appropriation of Water

Public Notice

RCW 90.03.280 requires that notice of a water right application be published once a week, for two consecutive weeks, in a newspaper of general circulation in the county or counties where the water is to be stored, diverted and used. Notice of this application was published in the *The Olympian* on April 28, 2014 and May 5, 2014. No formal protests or letters of concern were received by Ecology after the notice for this application was published.

Consultation with the Department of Fish and Wildlife

The Department must give notice to the Washington State Department of Fish and Wildlife (WDFW) of applications to divert, withdraw or store water. Steven Boessow of the WDFW was notified on April 9, 2014 that new water right application S2-30474 was being processed. A field investigation was conducted on April 14, 2014 by Mr. Boessow and was accompanied by Robert Bower and myself. Mr. Boessow's assessment of the unnamed stream fed by the Shaker Church Spring concluded that the stream appeared to be able to support fish, but he saw no evidence of fish in the stream. The final determination from the WDFW was that while the WDFW does not oppose of a water right permit, it also does not support it (Attachment 2).



State of Washington

DEPARTMENT OF FISH AND WILDLIFE

Mailing Address: 600 Capitol Way N, Olympia, WA 98501-1091 • (360) 902-2200 • TDD (360) 902-2207

Main Office Location: Natural Resources Building, 1111 Washington Street SE, Olympia, WA

April 15, 2014

Attn: Matt Rakow
 Water Resources- Southwest Regional Office
 Washington Department of Ecology
 PO Box 47775
 Olympia, WA 98504-7775

Re: Application S2-30474

Pursuant to Chapter 77.57.020 RCW, WDFW has reviewed the following pending water right applications for their impacts to stream flows that support Washington fish populations:

Application No.	Applicant	Quantity gpm or cfs	Acre-	
			Feet per Year	POD
S2-30474	Pioneer Service Company	0.06 cfs	25	NE SE S11 T18 R3W

Based on available literature and WDFW databases, the following are the water resource inventory areas and species of fish potentially affected by this application.

Water Source	Name	WRIA	Species
Springs	Shaker Church Springs	14	None in springs
	Tributary to Eld Inlet	14	Numerous game and non-game fish species use the estuary fed by the springs
Codes:	CK=Chinook, CO=coho, CH=chum, PK=pink, SO=sockeye, KO=kokanee, RB/SH=rainbow trout/steelhead, CT=Cutthroat Trout, BT/DV=Dolly Varden/bull trout, EBT=eastern brook trout, LMB=largemouth bass, Other=other resident game & non-game fish		

Based on impacts to fish and/or wildlife and the habitat they rely on, and pursuant to Chapter 77.57.020 RCW, WDFW does not oppose the issuance of this application.

On April 14, 2014, I was joined by WDFW Habitat Program staff Jonathan Kohr and Robert Granger and Ecology employee Matt Rakow to view the water system

Department of Ecology

April 15, 2014

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and surrounding creek and springs. We met with the owner, Bob Bower, and received a very complete tour of the facilities. There were no obvious signs of fish in the stream, though minimal effort was expended trying to view fish in the few pools that might have sufficient habitat. There is a blocking culvert downstream of the project site that would preclude anadromous fish passage.

Reduced flows from this additional diversion may impact fish in the lower creek and its localized estuary, but the effects are speculative and unknown. The impacts from growth associated with this new water right are easier to document. Additional houses, driveways and increased population are not beneficial for fish or wildlife. While WDFW will not oppose or appeal the issuance of this water right, we also do not support it.

This letter does not exempt the applicant from compliance with state Hydraulic Code (Chapter 77.55 RCW).

Thank you for the opportunity to comment on this application.

Sincerely,



Steve Boessow
Water Rights Biologist

cc: Robert Granger
Jonathan Kohr

State Environmental Policy Act (SEPA)

A water right application is subject to a SEPA threshold determination (i.e., an evaluation whether there are likely to be significant adverse environmental impacts) if any one of the following conditions are met.

- (a) It is a surface water right application for more than 1 cubic foot per second, unless that project is for agricultural irrigation, in which case the threshold is increased to 50 cubic feet per second, so long as that irrigation project will not receive public subsidies;
- (b) It is a groundwater right application for more than 2,250 gallons per minute;
- (c) It is an application that, in combination with other water right applications for the same project, collectively exceed the amounts above;
- (d) It is a part of a larger proposal that is subject to SEPA for other reasons (e.g., the need to obtain other permits that are not exempt from SEPA);
- (e) It is part of a series of exempt actions that, together, trigger the need to do a threshold determination, as defined under WAC 197-11-305.

Because this application does not meet any of these conditions, it is categorically exempt from SEPA and a threshold determination is not required.

INVESTIGATION

The material reviewed in support of this application included the following:

- The State Surface Water Codes, administrative rules, and policies.
- Department of Ecology's Water Right Tracking System (WRTS) database.
- Department of Ecology's Well Log Viewer database.
- Topographic, geologic, and local area maps.
- Notes from site visit conducted on April 14, 2014.

Project Area Description

The project area is located within Thurston County near the southeast corner of the Kennedy-Goldsborough Water Resource Inventory Area (WRIA) 14 and the junction of State Highways 101 and 8. The majority of the water system connections lie on the east side of Madrona Beach Road Northwest, with approximately 20% of the connections situated between State Highway 101 and Madrona Beach Road Northwest, and the final 10% of the connections located west of State Highway 101.

The Shaker Church Spring sits at an elevation of approximately 120 feet above mean sea level (msl) on a moderately steep slope. The Shaker Church Spring is one of many springs and seeps in the area that feed an unnamed stream that empties into Mud Bay. Mud Bay is situated at a distance of approximately 1,000 feet east of the Shaker Church Spring. The unnamed stream originates from a separate spring located approximately 1,300 feet to the west of the Shaker Church Spring at an elevation of approximately 190 feet above msl.

The WDFW SalmonScape website lists two culverts as total blockages to fish passage for the unnamed stream. The first culvert, site number 115 MV276, allows the stream to pass under State Highway 101 and then cascades down approximately six feet as it flows out of the culvert. The stream then crosses

under Madrona Beach Road Northwest through culvert 341801 (SalmonScape). Mr. Boessow was informed of this by Mr. Bower during the site visit and was taken into consideration for Mr. Boessow's assessment.

Local Area Geology

The Shaker Church Spring is located at the southern end of Puget Sound along Eld Inlet. This area is at the southern extent of the Puget lobe of the Cordilleran ice sheet where the glaciers were impeded by the Black Hills. The Shaker Church Spring site is underlain by Vashon glacial till. The glacial till consists predominantly of an unsorted, highly compacted mixture of clay, sand, gravel, and boulders. Vashon till is considered an aquitard and does not produce appreciable amounts of water needed for a Group A water system. The Black Hills are comprised of the Eocene aged (52-53 Ma) Crescent Formation basalt (Logan and Walsh, 2004). The Crescent Formation basalt in this area generally does not yield desirable amounts of water for anything more than single domestic supply.

Water System Description

The Pioneer Service Company has a completed catchment, storage, and distribution system to put water from the spring to beneficial use. The catchment system consists of two circular 500 gallon water tanks that have been modified and inserted into an undercut portion of the steep slope where water originates. In 2006 the output of each spring discharge point was measured by Mr. Bower to be 12 and 16 gpm. The water collected in the catchment is transported over the unnamed stream by suspended pipes to a 23,000 gallon cistern. The cistern is divided into a western portion used to route water and a 15,000 gallon eastern portion to store water. The water from the spring enters the western portion of the cistern and enters into the eastern storage portion on demand. Water from the western portion of the cistern is transported to the eastern portion by running it through a high pressure misting nozzle onto a mesh screen to aerate the water. The aeration brings the pH up to DOH drinking water requirements. When there is no water demand, water that enters the western portion of the cistern is returned to the stream below where the water from the Shaker Church Spring naturally flows. A source meter is on the water main before water is run through booster pumps that help keep pressure in the system regulated.

Pioneer Service Company Water System Development

The Pioneer Service Company water system in its current state was formed in 2006 by the combination of the Ellison/Bower and Pioneer Water Company water systems along with other Group B water systems. The Pioneer Service Company is now a municipal water system providing water to 40 full-time active service connections. The system currently has DOH approval to serve up to 50 connections. The service area consists of 63 parcels with the possibility of adding two more parcels.

History of Water Use

Records of water use for the Pioneer Service Company prior to the installation of the source meter do not exist. Any records of water use by the Ellison/Bower system were lost in a house fire in 1988.

Water use for the Pioneer Service Company is authorized by Certificates of Change S2-CV1-2P128 and S2-CV2P983 issued for domestic supply and oyster processing from Shaker Church Spring and the Heritage Spring, respectively.

Water Right Certificate 6173 originally authorized the J.J. Brenner Oyster Company to divert 0.075 cubic feet per second from the Shaker Church Spring for single domestic supply and oyster processing. This

certificate has a priority date of August 1, 1945. A 1981 certificate of change (S2-CV1-2P128) for the place and purpose of use changed the place of use to include the Ellison/Bower water system service area and the purpose to community domestic and oyster processing. The change certificate also set annual quantities for the water right by allocating eight ac-ft/yr for community domestic supply and 23 ac-ft/yr for oyster processing.

In 1988, J.N. Ellison sold his oyster processing plant to Taylor United while the Pioneer Water Company (precursor to the Pioneer Service Company) retained ownership of the water system and water rights. The last possible beneficial use of water by the Taylor United oyster processing plant would have been in 1998 when the processing plant was torn down. Therefore, that portion of water right certificate 6173 that had authorized 23 ac-ft/yr for oyster production has been relinquished for non-use pursuant to RCW 90.14.180. The remaining eight ac-ft/yr allocated for community domestic supply has been put to beneficial use throughout the lifespan of the water right.

J. N. Ellison obtained water right certificate 1646 for the Ellison/Bower water system to divert water from the Heritage Site Spring. This certificate has a priority date of October 6, 1938 and was authorized to divert 0.02 cfs of water for domestic supply for two residences and irrigation. In September of 1968, Certificate of Change 983 (S2-CV2P983) was authorized to change the point of diversion, place of use, and type of use. The point of diversion was changed to correct the original certificate because the location description was incorrect. The place of use was changed to include the Ellison Oyster Company lots and the type of use was changed to include oyster processing. The Heritage Site spring has been inactive since the combination of the Ellison/Bower system with the Pioneer Water Company system to create a municipal water system. This water right does not qualify as a right for municipal purposes because the original intent of the water right was to provide water to only two residences. Consequently, this water right has been relinquished due to non-use without sufficient cause, pursuant to RCW 90.14.180.

Other Rights Appurtenant to the Place of Use

There are eight other water rights appurtenant to the place of use that have been replaced with service from the Pioneer Service Company. Seven of the eight water right certificates are not currently being exercised because the spring sources are unreliable (different from the Shaker Church Spring).

Details of each water right are summarized below in Table 3.

Table 3. Water Right Details

Control Number	Name	Priority Date	Source	Qi	Qa	Type of Use
S2-26668	Clayton Fox	3/26/1985	Spring	0.01 cfs	1	Domestic Supply
S2-*05204	Snyder/Badgley/Hunt	7/24/1940	Spring	0.02 cfs	--	Domestic Multiple, Irrigation
S2-*05925	Snyder/Badgley/Hunt	11/23/1943	Spring	0.01 cfs	--	Domestic Multiple
S2-24328	Frank Tobinski	10/18/1976	Spring	0.018 cfs	0.5	Domestic Supply
S2-24774	Frank Tobinski	1/18/1978	Spring	0.024 cfs	1.5	Domestic Multiple
S2-22669	David Teiken	6/17/1964	Spring	0.02 cfs	1.6	Domestic Multiple
G2-*07188	J.B. Racus	5/26/1964	Well	10 gpm	5.6	Domestic Supply
S2-21174	Richard Ruth	6/18/1973	Spring	0.01 cfs	1	Domestic Supply

Qa = Annual Quantity measured in ac-ft/yr; † 8 ac-ft/yr domestic supply & 23 ac-ft/yr oyster processing

The Racus water right is still being exercised to the best of Mr. Bower's knowledge to irrigate lawns for two residences. The residences are current customers of the Pioneer Service Company for domestic water.

Proposed Use and Basis of Water Demand

History of Water Use and Water Demand

The source meter for the system was not installed until 2008 and monthly water totals were not recorded until 2012. Mr. Bower was monitoring water usage for the system by tracking electricity costs associated with running the booster pumps prior to installation of the source meter.

DOH Water Use Efficiency reports for 2012 and 2013 show water use was 12.7 ac-ft in 2012 and 12 ac-ft in 2013. Average use per connection is roughly 265 gallons per day per residence, or about 0.3 ac-ft per year.

Proposed Use and Demand

The Pioneer Service Company has requested water to serve 65 residences and proposes that 25 ac-ft/yr will be sufficient to serve all residences at full built-out. This amount approximately equals 340 gallons per day per residence. This is a reasonable amount of water to use for planning purposes. Current water rights authorize 8.0 ac-ft, so an additional 17.0 ac-ft would be needed.

Impairment Considerations

Impairment is an adverse impact on the physical availability of water for a beneficial use that is entitled to protection. A search of the Department's Water Rights Tracking System (WRTS) for surface water right records within Township 18 north, Range 3 west, Sections 11 and 12 produced six surface right claims and 20 surface water certificates. Twenty-two water right certificates and claims have sources listed as near-by springs and Eld Inlet which will not be impacted by further appropriation of water from the Shaker Church Spring. The remaining four surface water certificates have been identified to have downstream diversions that collect water from the unnamed stream that flows under the Shaker Church Spring. Table 4 provides details of these certificates.

Table 4. Water Right Certificates Down Stream of Shaker Church Spring

Control #	Name	Priority Date	Use	Qi (cfs)	Qa (ac-ft/yr)	Irr. Acres	T.R.S.	Qtr Qtr
S2- *06544CWRIS	A.J.Weaver	7/18/1945	DM	0.05	--	--	18N.3W.11	--
S2-20211CWRIS	Ben Carmell	5/9/1972	IR,DS	0.03	4	1.5	18N.3W.12	--
S2-27453CWRIS	Mike Juhl	10/31/1988	DS	0.02	1	--	18N.3W.12	SW/SW
S2-27457CWRIS	Henry Mooseker	11/4/1988	IR	0.02	2	1	18N.3W.12	--

The Weaver certificate is senior in priority date to Certificate of Change S2-CV1-2P128. Thus, the Weaver right is subject to protection from impairment through the exercise of the Certificate of Change S2-CV1-2P128 right during periods of limited water availability. Likewise, diversions under Water Right S2-30474 are subject to protection of all four senior rights listed in Table 4. To date there have been no

complaints from any of the water right certificate holders listed in Table 4 about the inability to exercise their water rights.

It is determined that the risk of impairment to downstream water right certificate holders by the appropriation of additional quantities of water by the Pioneer water system is low. The Shaker Church Spring is only one source of contribution of many sources of contribution to the unnamed stream. Furthermore, roughly half of the total output of the Shaker Church Spring is requested for appropriation whereas the remaining output is returned to the unnamed stream.

Water Availability

For water to be available for appropriation, it must be both physically and legally available.

Physical Availability

The Shaker Church Spring has been flowing uninterrupted for at least 70 years without any appreciable decline in output.

Legal Availability

Four existing water rights downstream of the Shaker Church Spring divert water from the unnamed stream that the Shaker Church Spring contributes to. Current beneficial use of water by the Pioneer water system is not impairing the single downstream senior water right certificate holder. Appropriation of additional quantities of water from the Shaker Church Spring is not seen as a threat to water availability or quality to senior water right certificate holders located downstream. As stated previously, approximately half of the output of the Shaker Church Spring is requested for appropriation and this spring is one of many points of contribution to the unnamed stream.

Under Chapter 173-514 Washington Administrative Code (WAC), minimum flows have been established for WRIA 14. However, this rule does not establish minimum flows for the subject spring/stream. Furthermore, The WDFW has not recommended minimum flows for the unnamed stream.

Alternative Sources

Groundwater resources are limited in the area given the local geology. This is evident in the fact that the Pioneer Water System attempted to switch water sources to groundwater wells by drilling two bedrock wells in 2006. A well was drilled down to 220 feet below ground surface (bgs) near the distribution control house for the Shaker Church Spring system (DOE Well Tag ALL350) and another was drilled to a depth of 300 feet bgs near the source of the Heritage spring site (DOE Well Tag ALL349). Neither of the wells produced enough water to become a viable source for the system. The Shaker Church Spring site well produced 7 gpm and the Heritage Spring site well produced 3 gpm. The DOH therefore approved the Pioneer Service Company to continue to rely on the Shaker Church Spring for its primary water source.

No other alternative sources exist for the customers of the Pioneer Service Company. The original Pioneer and Ellison/Bower water systems were designed to serve fewer than 12 connections each. The Pioneer Service Company water system has grown to its current state because residences in the area had unreliable or failing water sources and were forced to join the system.

Beneficial Use

Municipal use of water is defined in statute as a beneficial use (RCW 90.54.020(1)).

Public Interest Considerations

The WRIA 14 Watershed Planning Unit voted on a draft watershed plan in 2006. However, the Planning Unit did not reach consensus on the draft watershed plan and the watershed planning process was subsequently terminated. Currently, there is no water management plan for the Kennedy Creek basin.

The size and flow of the unnamed stream does not allow for any sporting or recreational activities. Land adjacent to the stream is privately owned and is not accessible to the general public. The natural flow of the stream has been disrupted by the construction of the culverts underneath State Highway 101 and Madrona Beach Road Northwest. Appropriation of water from the Shaker Church spring for municipal supply is beneficial to the receiving community and is not detrimental to public interest.

Consideration of Protests and Comments

No protests were filed against this application.

Conclusions

I find that:

- Water is available from the Shaker Church Spring.
- Municipal use is a beneficial use.
- The appropriation, as recommended, will not impair existing rights or in-stream flows.
- Approval of this application will not be detrimental to the public welfare.

RECOMMENDATIONS

Based on the above investigation and conclusions, I recommend that this request for a water right be approved in the amounts and within the limitations listed below and subject to the provisions listed above.

Purpose of Use and Authorized Quantities

The amount of water recommended is a maximum limit and the water user may only use that amount of water within the specified limit that is reasonable and beneficial:

- 0.067 cfs
- 25.0 acre-feet per year (17.0 additive and 8.0 ac-ft non-additive)
- Municipal supply

Point of Diversion

Two springs tributary to Eld Inlet, located within NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11, Township 18 North, Range 3 W.W.M.

Place of Use

The place of use (POU) of this water right is the service area described in the most recent Water System Plan/Small Water System Management Program approved by the Washington State Department of Health, so long as the water system is and remains in compliance with the criteria in RCW 90.03.386(2). RCW 90.03.386 may have the effect of revising the place of use of this water right. See Attachment 1 for a map of the current service area.


Matthew K. Rakow

September 2, 2014
Date

If you need this publication in an alternate format, please call Water Resources Program at (360) 407-6600. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.

Selected References

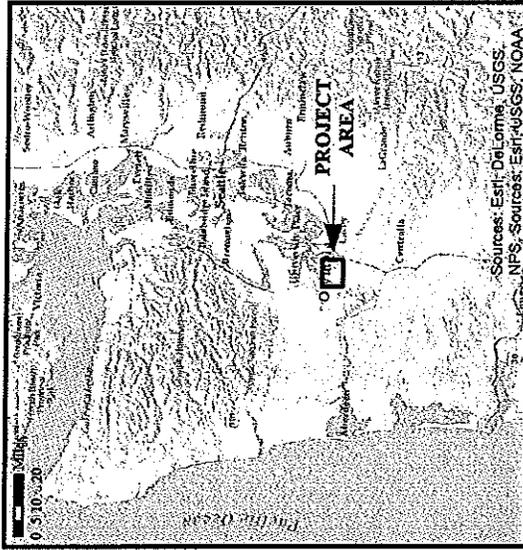
Logan, R. L.; Walsh, T.J., 2004, Geologic map of the Summit Lake 7.5-minute Quadrangle, Thurston and Mason Counties, Washington: Washington Division of Geology and Earth Resources Open File Report 2004-10, 1 sheet, scale 1:24,000.

SalmonScape, Washington Department of Fish & Wildlife,
<<http://apps.wdfw.wa.gov/salmonscape/map.html>>.

Washington State Department of Ecology, *Washington State Well Log Viewer*, May 30, 2014,
<<https://fortress.wa.gov/ecy/waterresources/map/WCLSWebMap/default.aspx>>.

ATTACHMENT 1

Pioneer Service Company Water Right Application
 S2-30474
 Sec. 2, 11, 12 T. 18N., R. 03 WWM
 WRIA 14 - Thurston County



Sources: Esri; DeLorme; USGS,
 NPS, Sources: Esri; USGS; NOAA

Basemap - ESRI Terrain

- Legend**
- POINT OF DIVERSION (POD)
 - PLACE OF USE (POU)
 - SECTION LINES
 - THURSTON CO. PARCELS

Comments:
 The Washington State Department of Ecology does not warrant, guarantee, or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, or otherwise.
 Map Created 6/12/2014



Basemaps - Bing Maps, ESRI US topo maps
 DEPARTMENT OF
ECOLOGY
 State of Washington